

Message

From: Mutter, Andrew [mutter.andrew@epa.gov]
Sent: 5/18/2018 7:42:29 PM
To: Benevento, Douglas [benevento.douglas@epa.gov]
Subject: FW: News Clips - 18 May 2018

From: Hassell, Emily
Sent: Friday, May 18, 2018 1:42:21 PM (UTC-07:00) Mountain Time (US & Canada)
To: AO OPA OMR CLIPS
Subject: News Clips - 18 May 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Chemical Safety Rule

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Daily Caller

<http://dailycaller.com/2018/05/18/epa-plans-roll-back-obama-regulation/>

EPA Announces Plans To Roll Back Another Obama-Era Regulation [VIDEO]

By Jason Hopkins, 5/18/18, 9:24 AM

The Environmental Protection Agency intends to better streamline its emergency procedures and save money by retracting another Obama-era rule to the Risk Management Program.

EPA administrator Scott Pruitt signed the Proposed Risk Management Program Reconsideration Rule on Thursday, a proposal that would save the agency \$88 million a year while improving emergency preparedness and assessment of potential security risks. With these changes, the EPA aims to correct risks with new information disclosure requirements and address concerns about unneeded regulations and regulatory costs.

“Accident prevention is a top priority at EPA, and this proposed rule will ensure proper emergency planning and continue the trend of fewer significant accidents involving chemicals,” Pruitt stated Thursday. “The rule proposes to reduce unnecessary regulatory burdens, address the concerns of stakeholders and emergency responders on the ground, and save Americans roughly \$88 million a year.”

Numerous industry associations, believing the Obama-era rules were too onerous, have praised the EPA’s move.

“The EPA’s Risk Management Plan Rule as proposed under the Obama Administration would have imposed significant new costs on industry without identifying or quantifying the safety benefits to be achieved through new requirements. NACD saw the Trump Administration’s delay last year in implementing this rule as a positive sign that these concerns would be addressed going forward,” said Eric Byer, National Association of Chemical Distributors president, in a statement released Thursday. “We believe that with EPA’s release today of a new proposed RMP rule, many of the concerns have been eliminated or addressed in a way that makes common sense. We look forward to reviewing the proposal in its entirety and submitting comments to the agency this summer.”

However, not everyone is approving.

Andrew Rosenberg — the Union of Concerned Sciences Center for Science and Democracy director — heavily criticized Pruitt’s latest moves. Rosenberg said Thursday that the proposal is a “giant step backward” on chemical public safety in a blog post for the UCS.

The agency is accepting public comments on the proposed changes before a public hearing in on June 14.

Reuters

<https://www.reuters.com/article/us-usa-epa-chemicals/epa-moves-to-undo-obama-era-chemical-disaster-rules-idUSKCN1I131N>

EPA moves to undo Obama-era chemical disaster rules

By Valerie Volcovici, 5/17/18, 6:23 PM

WASHINGTON (Reuters) - The U.S. Environmental Protection Agency took steps on Thursday to roll back and delay Obama-era rules aimed at improving safety at chemical plants, which had come in response to a 2013 explosion at a fertilizer plant in Texas that killed 15 people.

EPA Administrator Scott Pruitt introduced a proposal to rescind the measures, saying it would save the industry tens of millions of dollars a year and “better address potential security risks.”

“The rule proposes to reduce unnecessary regulatory burdens, address the concerns of stakeholders and emergency responders on the ground, and save Americans roughly \$88 million a year,” Pruitt said in a statement.

The proposal would also delay some of the compliance dates of the Obama-era amendments and cancel certain provisions that address accident prevention.

It was the latest in a string of Trump administration proposals aimed at rolling back environmental regulations put in place by former Democratic President Barack Obama, which industry groups have said added to their regulatory burdens.

In January 2017, before Republican President Donald Trump took office, the EPA introduced several changes to companies’ risk management plans they submit to the agency, including requiring more analysis of safety technology, third-party audits and incident investigation analyses and stricter emergency preparedness requirements.

Last February, the EPA received a petition from a coalition of chemical and energy industry groups, including the American Chemistry Council and American Petroleum Institute, to delay and reconsider the Obama-era amendments.

The explosion at the West Texas fertilizer plant killed 15 people, including 12 firefighters. Scores of others were injured and more than 500 homes were damaged in the blast, with total damaged estimated at more than \$100 million.

The source of the explosion was ammonium nitrate stored in a wooden container at the plant, investigators said.

The EPA press release announcing the proposed changes to the Obama administration amendments, included a statement from the National Association of Chemical Distributors.

“The Obama Administration would have imposed significant new costs on industry without identifying or quantifying the safety benefits to be achieved through new requirements,” the lobby group’s president, Eric Byer, said.

The United Steelworkers union said in a statement on Thursday it strongly opposed the proposed rollbacks.

“USW members work in dangerous facilities that house huge quantities of hazardous chemicals. We are strongly opposed to this deregulation that endangers workers and their communities,” the group said.

The proposed rule will be open to public comment for 60 days and a public hearing on the rule is scheduled for June 14.

The Hill

<http://thehill.com/policy/energy-environment/388209-trump-admin-proposes-easing-epa-chemical-plant-safety-rule>

Trump officials propose easing EPA chemical plant safety rule

By Timothy Cama, 5/17/18, 3:48 PM

The Trump administration wants to roll back some parts of a major Environmental Protection Agency (EPA) rule meant to reduce the risks of chemical plant disasters.

The proposal to tweak the Risk Management Program rule aligns with the wishes of the chemical industry, which argued that the original January 2017 regulation from the Obama administration was too expensive and unnecessarily burdensome.

“Accident prevention is a top priority at EPA, and this proposed rule will ensure proper emergency planning and continue the trend of fewer significant accidents involving chemicals,” EPA Administrator Scott Pruitt said in a Thursday statement announcing the proposal.

“The rule proposes to reduce unnecessary regulatory burdens, address the concerns of stakeholders and emergency responders on the ground, and save Americans roughly \$88 million a year.”

Thursday’s proposal would eliminate or ease some major pieces of the rule, including requirements that plant owners consider safer alternatives to various technologies, get third-party audits to check for compliance with accident prevention rules, conduct “root cause” analyses after incidents and disclose certain information to the community about operations.

Other big parts of the rule now have delayed implementation dates, like provisions on coordination with local emergency services and exercises for emergency situations.

The EPA argued that those changes, sought by industry groups and companies, would answer security concerns, reduce unnecessary regulatory costs and better align the standards with worker safety rules.

The \$88 million estimated savings would come mostly from removing the requirement to consider safer alternatives, with other savings coming from eliminating audits and root-cause investigations.

The Society of Chemical Manufacturers & Affiliates, which sent representatives to the EPA Thursday for a signing ceremony with Pruitt, cheered the proposal.

“We are pleased EPA has sought resolution of the major concerns with the RMP rule and look forward to working with the agency on other issues of mutual interest impacting the specialty and fine chemicals industry,” Robert Helminiak, the group’s vice president for government relations, said in a statement.

Emma Cheuse, an attorney with environmental group Earthjustice, called the rollback “shocking,” saying it ignored evidence of harm to first responders, adjacent communities and others.

“This move weakens safety measures and fails to protect the lives and health of the American people,” she said. “The EPA has no lawful or valid basis to undo the Chemical Disaster Rule, or to ignore that 177 million Americans face the constant threat of a chemical disaster.”

Since President Trump took office, the administration has delayed the chemical plant rule multiple times as it has worked on rollbacks.

Environmentalists and safety advocates sued the EPA last year over the delays, saying they have gone on too long. The Circuit Court of Appeals for the District of Columbia heard oral arguments in the case in March, and has not made a ruling.

The 2017 rule was the EPA’s chief response to the 2013 fertilizer explosion in West, Texas, which killed 15 people.

Green groups, Democratic state attorneys general and others have pledged to fight any attempt by the Trump administration to weaken the rule.

The Thursday proposal will soon be published in the Federal Register, kicking off a 60-day public comment period. Once the EPA analyzes those comments, it can make the rule final, at which point opponents could sue to stop it.

Washington Examiner

<https://www.washingtonexaminer.com/policy/energy/epas-scott-pruitt-proposes-repealing-key-parts-of-obama-era-rule-meant-to-prevent-chemical-accidents>

EPA's Scott Pruitt proposes repealing key parts of Obama-era rule meant to prevent chemical accidents

By Josh Siegel, 5/17/18, 5:10 PM

Scott Pruitt, administrator of the Environmental Protection Agency, proposed Thursday repealing major parts of a chemical safety rule finalized in the last days of the Obama administration.

The rule is intended to toughen standards for chemical plants and other facilities to prevent and mitigate accidental chemical releases. It applies to about 12,500 facilities ranging from petroleum refineries, chemical manufacturers, water and wastewater treatment systems, food manufacturers, packing plants, and more.

The Obama administration finalized the rule in December 2016 after seeking changes in response to the 2013 explosion of ammonium nitrate at a fertilizer plant in West, Texas, that killed 15 people.

Last March, Pruitt delayed the safety rule and began the process of repealing it, in response to complaints from industry groups, congressional Republicans, and 11 states, who argued the rule was too costly. The EPA describes its proposed changes as "minor."

"Accident prevention is a top priority at EPA, and this proposed rule will ensure proper emergency planning and continue the trend of fewer significant accidents involving chemicals," Pruitt said Thursday in a statement. "The rule proposes to reduce unnecessary regulatory burdens, address the concerns of stakeholders and emergency responders on the ground, and save Americans roughly \$88 million a year."

Pruitt proposed to repeal requirements in the rule that audits of facilities be conducted by third parties and that investigators determine the "root cause" of an accident. The EPA cited uncertain environmental benefits from those provisions and added costs, when compared to existing requirements.

Pruitt also proposed to rescind other elements of the rule, including a 12-month completion deadline for investigative incident reports; employee training requirements; and a mandate that facility owners release chemical hazard information to the public upon request after accidents.

The EPA said it will keep a requirement forcing plant owners to hold a public meeting within 90 days after an accident.

In limiting information disclosure, the EPA cited concerns about "an additional security risk for facilities."

EPA claimed the repeal of these components of the rule will produce between \$87.9 million and \$88.4 million in cost savings.

The agency will accept public comment for 60 days once its proposed repeal is published in the Federal Register, and plans to host a public hearing on June 14.

There is already a pending legal challenge to Pruitt's decision to delay the rule, and opponents will likely sue again once he takes final action on repealing parts of it.

AP

<https://apnews.com/7c50d5f56a8f404bbef974322a28581f/Pruitt-rescinding-safety-rules-prompted-by-fatal-plant-blast>

Pruitt rescinding safety rules prompted by fatal plant blast

By Ellen Knickmeyer, 5/17/18

WASHINGTON (AP) — Environmental Protection Agency administrator Scott Pruitt moved Thursday to rescind much of a package of safety measures proposed for chemical plants nationwide after a deadly blast at a Texas fertilizer plant.

Pruitt signed a significantly revised slate of rules from the Obama era on safety and risk management at 12,500 U.S. facilities, including chemical plants and refineries. A chemical manufacturing group welcomed the changes, while spokesman Alex Formuzis of the Environmental Working Group called them a “hollowing out” of the original safety upgrades.

The rules were prompted by a 2013 explosion at a fertilizer plant in West, Texas, that killed 15 people, including 10 firefighters. The blast ripped open a 90-foot-wide crater and hurled debris for miles.

Pruitt’s changes eliminate several of the original requirements concerning safety training, accident prevention and accident investigations.

The revised version signed by Pruitt also would remove a requirement that members of the public who ask the plants should receive information about any chemical risks and community emergency plans.

That change “would make it harder for those living near these plants to get basic information” about any dangers posed, said Eric Schaeffer, director of the Washington-based Environmental Integrity Project nonprofit.

In a statement, Pruitt said the revised slate of proposed rules “reduce unnecessary regulatory burdens.”

“Accident prevention is a top priority at EPA, and this proposed rule will ensure proper emergency planning and continue the trend of fewer significant accidents involving chemicals,” Pruitt said.

The central Texas town’s fire department was staffed by volunteers who had no formal training or planning to prepare them for a fire or emergency at the fertilizer plant, an investigation by the U.S. Chemical Safety Board found.

As the blaze engulfed the plant, firefighters rushed in to contain it and remained despite at least one warning to evacuate, a state fire marshal’s report found. They began backing out only moments before the ammonium nitrate exploded.

Pruitt signed the rule surrounded by onlookers, including chemical-industry representatives. The Society of Chemical Manufacturers and Affiliates, which said in a statement it had opposed the initial version of the regulation proposed by the Obama administration, applauded the revision signed Thursday, saying it modified a requirement for outside audits of risk-management plans and other rules that the chemical manufacturers group had objected to.

The Trump administration will solicit public comment on the proposed rules before it makes final decisions on enacting them.

Washington Post

https://www.washingtonpost.com/news/morning-mix/wp/2018/05/18/pruitt-moves-to-rescind-regulations-inspired-by-west-tex-chemical-explosion-that-killed-15/?utm_term=.7166b595e61a

Pruitt moves to rescind regulations inspired by West, Tex., chemical explosion that killed 15

By Meagan Flynn, 5/18/18, 7:48 AM

Sometime before 7:30 p.m. on April 17, 2013, in the small town of West, Tex., a fire broke out at the West Fertilizer Company plant.

Thirty volunteers made up the town's fire department. They heard the beep on their pagers, said goodbye to their families and headed to the source of the menacing black smoke.

Some of them, 12 of them, wouldn't come back.

Twenty minutes after the fire started, the plant exploded — so powerfully that it registered as a 2.1-magnitude earthquake on the Richter scale. A total of 15 people died in the blast, including the 12 volunteer first responders. Two hundred sixty people were injured and 150 buildings in the vicinity were damaged. Half of them, including two schools, had to be demolished.

Arson caused the fire, federal investigators concluded three years later. But 80,000 to 100,000 pounds of unsafely stored fertilizer-grade ammonium nitrate was the source of the disastrous explosion.

The fatal blast inspired the Environmental Protection Agency to make serious changes to regulations about how companies store dangerous flammable chemicals and how they develop risk-management plans. The new rules were set to take effect in June 2017, but they were held up by EPA Administrator Scott Pruitt after he took office.

Now Pruitt wants to rescind most of the safety regulations, saying that a lot of them imposed “unnecessary regulatory burdens” on the chemical industry. Pruitt's proposed changes, signed Thursday, are subject to public comment.

“Accident prevention is a top priority at EPA, and this proposed rule will ensure proper emergency planning and continue the trend of fewer significant accidents involving chemicals,” Pruitt said in a statement. “The rule proposes to reduce unnecessary regulatory burdens, address the concerns of stakeholders and emergency responders on the ground, and save Americans roughly \$88 million a year.”

The bulk of the claimed savings would come from getting rid of a rule requiring owners of a chemical plant to evaluate options for safer technology and procedures that would mitigate hazards, according to an EPA report. He also seeks to rescind rules requiring companies to conduct a “root-cause analysis” after a “catastrophic” chemical release or an incident that might have caused one and to perform a third-party compliance audit after an accident at a plant or when conditions are discovered that could lead to an accidental release of chemicals.

Pruitt's move to dismantle these regulations is part of a broader push to scrap Obama-era environmental rules, a strategy that has drawn intense criticism from environmental groups. On Thursday, some accused Pruitt of bending to the chemical industry's will.

“EPA administrators are supposed to push for safeguards to protect workers and residents from deadly catastrophes, like the one we saw in 2013 when the West, Tex., fertilizer plant explosion killed 15 people,” said Environmental Working Group President Ken Cook in a statement. “But this is Scott Pruitt. There apparently is no favor he won't do for the chemical industry. Repealing safety measures at industry's behest is just all in a day's work.”

Pruitt also would eliminate a requirement that chemical plants release information to the public about the types of chemicals stored, the types of procedures the plant has in place to mitigate the risks and, crucially, what to do in case of an emergency. He is not seeking to rescind the portion of the rule that made this information more readily available to first responders.

That Obama administration's rule was proposed after an investigation by the U.S. Chemical Safety and Hazard Investigation Board, which called the explosion “one of the most destructive incidents [it] ever investigated.” The board stressed the need for changes in both regulations and transparency to prevent a repeat tragedy.

“CSB's analysis shows that the risk to the public from a catastrophic incident exists at least within the state of Texas, if not more broadly,” the agency wrote. “For example, 19 other Texas facilities storing more than 10,000 pounds of fertilizer-grade ammonium nitrate are located within 0.5 miles of a school, hospital, or nursing home, raising concerns that an incident with offsite consequences of this magnitude could happen again.”

In addition to identifying safety-inspection failures and other lax regulations, the CSB report found that very few people in West appeared aware of the explosive nature of the fertilizer-grade ammonium nitrate inside the West Fertilizer Company. Some of the plant's own workers were not aware of the chemical's hazards, the report said. The volunteer firefighters had no plan in place to combat a hazardous-materials incident at the plant, it said. And instead of evacuating immediately, residents watched the fire from parking lots and front yards, exposing them to the blast and flying debris.

But Pruitt argued that making the information about the risks of the chemicals and the company's emergency response plans available to the public exposed the plants to terrorists, a position he took before he was President Trump's EPA administrator.

"The safety of these manufacturing, processing and storage facilities should be a priority for us all," he wrote in a July 2016 letter to then-EPA Administrator Gina McCarthy, while he was the attorney general of Oklahoma, "but safety encompasses more than preventing accidental releases of chemicals, it also encompasses preventing intentional releases caused by bad actors seeking to harm our citizens."

On Thursday, the chemical industry cheered Pruitt's decision to toss out the Obama-era regulations during a signing ceremony.

"The EPA's Risk Management Plan Rule as proposed under the Obama Administration would have imposed significant new costs on the industry without identifying or quantifying the safety benefits to be achieved through the new requirements," Eric Byer, president of the National Association of Chemical Distributors, said in a statement.

AP

<https://apnews.com/e05598edfb5b4f5a8325c7663d46a43a/AP-FACT-CHECK:-EPA's-Pruitt-and-his-bargain-condo-deal>

AP FACT CHECK: EPA's Pruitt and his bargain condo deal

By Michael Biesecker and Calvin Woodward, 5/17/18

WASHINGTON (AP) — Environmental Protection Agency chief Scott Pruitt has falsely claimed that a man who was listed as the landlord of a bargain-priced condo Pruitt rented in Washington last year was not a lobbyist at the time. Steven Hart was in fact a registered lobbyist when Pruitt used the apartment and was working to advance the interests of an energy company with matters before the EPA.

Pruitt misstated the record on multiple occasions Wednesday in lengthy testimony to a Senate committee that looked into the ethical and policy questions swirling around his tenure at EPA. Here's a sampling:

PRUITT: "Steve Hart is someone that was not registered as a lobbyist in 2017. He's a longtime associate and friend."

THE FACTS: That's wrong. Disclosure reports show Hart was a registered lobbyist for 35 separate entities in 2017. Among those he represented was Cheniere Energy, which owns the only operational liquefied natural gas export terminal in the U.S. The reports show Hart worked on "Issues related to the export of liquefied natural gas (LNG), approval of LNG exports and export facilities."

Pruitt has been a vocal booster of LNG exports while at EPA, even taking a taxpayer-funded trip to Morocco in December to help persuade the North African kingdom to import more gas from U.S. producers. Such increases in LNG exports would probably benefit Cheniere.

Pruitt rented the luxury Capitol Hill condo from a corporation co-owned by Hart's wife for just \$50 a night, only paying on nights when he stayed there. A copy of the lease, reviewed by The Associated Press, shows Steven Hart was originally

listed as the landlord but his name was scratched out and substituted with that of his wife, a health policy lobbyist. Pruitt used the condo last year from March through at least August.

In past public comments, Pruitt claimed Hart had no business before EPA in 2017. That turned out not to be true, either.

Records show Hart met with Pruitt in his office at EPA headquarters last year and the lobbyist emailed with EPA staff on behalf of his client Smithfield Foods. The meeting happened in July 2017, during the condo rental period, and was described by Hart last month as a discussion about the Chesapeake Bay. Smithfield and its charitable foundation have been involved with efforts to clean up the bay since EPA fined the company \$12.6 million in 1997 for illegally dumping hog waste into a tributary.

In addition to the companies he personally represented, Hart was the top executive at the powerhouse lobbying firm Williams & Jensen before retiring early as a result of the scandal over Pruitt's condo deal. Records show Hart's former firm represented a lengthy roster of companies last year with billions at stake over regulatory decisions made by EPA, including ExxonMobil Corp., the world's largest publicly traded international oil and gas company.

SEN. TOM UDALL, Democrat of New Mexico: "Do you see a conflict of interest in accepting a pretty good housing deal from a lobbyist couple that has business before the EPA?"

PRUITT: "Senator, the ethics officials at the agency actually — actually had performed two ethics reviews, saying that the lease terms are consistent with comparable rates in the marketplace."

THE FACTS: EPA ethics officials were only asked to review Pruitt's 2017 condo lease after news broke about the administrator's unusual living arrangement. EPA lawyer Kevin Minoli, who wrote the reviews, later said he only considered the lease as written, specifically the claim that Pruitt only rented one bedroom for the \$50 nightly rate. But it was later disclosed that Pruitt's daughter, who was a summer intern at the White House, occupied a second bedroom at no cost.

Because he only paid for the nights he was there, Pruitt forked over a total of \$6,100 over the six-month period he leased the property, an average of about \$1,000 a month.

Recent rental listings for two-bedroom apartments in the neighborhood show they typically go for far more than what Pruitt paid. A two-bedroom townhome on the same block as the one leased by Pruitt was advertised for rent in April at \$3,750 a month. Another two-bedroom unit on the next block was advertised as available for \$4,740 a month.

The Hill

<http://thehill.com/policy/energy-environment/388346-watchdog-to-probe-epa-email-preservation>

Watchdog to probe EPA email preservation

By Timothy Cama, 5/18/18, 1:52 PM

The Environmental Protection Agency's (EPA) internal watchdog is looking into how the agency preserves email and text messages sent and received by employees.

The project, announced Friday by the EPA's Office of Inspector General, came in response to Sens. Tom Carper (D-Del.) and Jeff Merkley (D-Ore.), who asked for an investigation into revelations that Administrator Scott Pruitt has four email addresses.

Investigators plan to look into both preservation systems and policies, as well as what those policies mean for how the EPA responds to Freedom of Information Act (FOIA) requests.

“The anticipated benefits of this project are ensuring the effectiveness of EPA processes for preserving electronic records and responding to FOIA requests,” the inspector general said.

Inspector General Arthur Elkins first told Carper and Merkley earlier this week that he had accepted their request to probe Pruitt’s email setup.

The senators had discovered that the EPA had five email addresses for Pruitt: one public, one in the standard EPA format, one for use in calendars, one for Pruitt to use for communication and one that was never used beyond three test emails.

Democrats say the setup raises the possibility that the EPA is hiding Pruitt’s correspondence, and that workers responding to FOIA requests do not search in all of his addresses.

But the EPA has defended the practice as standard among EPA administrators and other high-profile government officials.

“All accounts are searched before we respond to the FOIA request,” EPA spokesman Jahan Wilcox said.

The EPA confirmed that statement in a letter to Senate Environment and Public Works Committee Chairman John Barrasso (R-Wyo.) when he probed the email setup.

Politico

<https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-watchdog-will-examine-agency-email-text-message-foia-habits-1254824>

EPA watchdog will examine agency email, text message, FOIA habits

By Anthony Adragna, 5/18/18, 11:07 AM

The EPA inspector general announced today it would look into the agency's efforts to properly preserve text messages and emails, as well as its responsiveness to public records requests.

According to a memo, the project was requested by members of Congress and will also involve a hotline complaint received during fiscal year 2018. The investigation also will address how well the agency is implementing a series of prior recommendations in those areas.

The new probe is broader than the one confirmed earlier in the week concerning whether Administrator Scott Pruitt's multiple non-public accounts are being properly searched in response to public records requests and preserving messages, according to an IG spokesman.

Email issues and slow responses to FOIA requests have dogged administrators from both parties, but POLITICO reported that Pruitt's senior aides are giving public records requests high-level vetting that's slowed the release of information to the public.

Pruitt's use of multiple non-public emails has also drawn the ire of Senate Environment and Public Works Chairman John Barrasso, though the agency assured him it searches all accounts.

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=134421712&item=408&prod=deln&cat=AGENCY

Chemical, Oil Companies to Save Millions From Safety Program Rollback

By Sam Pearson, 5/18/18

DowDuPont Inc., Chevron Corp., and other companies that own high-risk chemical facilities stand to benefit from relaxed safety provisions despite the concerns of first responders and communities close to these plants.

The Environmental Protection Agency issued a proposed rule (RIN:2050-AG95) May 17 that would change security provisions under updates to the agency's risk management program. The changes will save companies \$88 million per year.

Industry officials were on hand May 17 while EPA Administrator Scott Pruitt—a critic of the regulation as Oklahoma attorney general—signed a proposed rule making changes to the risk management program.

“Accident prevention is a top priority at EPA, and this proposed rule will ensure proper emergency planning and continue the trend of fewer significant accidents involving chemicals,” Pruitt said in a statement May 17.

The risk management program, established under the Clean Air Act Amendments of 1990, requires companies that handle large volumes of risky substances to report information to the EPA and local communities. The plans are intended to help first responders anticipate—and safeguard personnel during—chemical fires or other accidents without providing too much information to anyone who may target the plants. The Obama administration tried to tighten the standards following high-profile 2013 fertilizer plant explosion in West, Texas.

Pruitt's changes to the rule include removing a requirement that companies analyze if they can run their facility using safer chemical processes, modifying how compliance audits are conducted, and reducing the amount of information plants have to share with the public.

The changes would also cut a mandate that plants conduct root cause investigations to determine what went wrong after chemicals are released or almost released.

Too Duplicative?

In making the changes, the EPA adopted industry organizations' arguments that these changes duplicated an existing Occupational Safety and Health Administration process safety management program. That program regulates facility operations under the Occupational Safety and Health Act.

Pruitt's plan would simplify compliance for facilities without harming safety, Robert Helminiak, managing director of government relations at the Society of Chemical Manufacturers and Affiliates, which represents specialty chemical companies, told Bloomberg Environment May 17.

“I am hopeful, as I review the rule, that it will promote greater safety,” Helminiak said.

Advocates of the Obama administration's approach were disappointed.

“The agency is just setting aside all of the analysis and all of the data that its own scientists had put together back when they were working on this rule,” Yogin Kothari, senior Washington representative for the Union of Concerned Scientists, told Bloomberg Environment May 17.

Gaps in Chemical Safety

The EPA in January 2017 issued updates to the risk management regulations (RIN:2050-AG82) after working with the Occupational Safety and Health Administration, Department of Homeland Security, and other agencies to study gaps in chemical safety at facilities.

The regulations came after 12 firefighters were killed entering the burning West, Texas, plant after it exploded. But the EPA was concerned about lower-profile mishaps throughout the U.S., too.

The Trump administration subsequently delayed the regulation from taking effect until February 2019. The delay was challenged in the U.S. Court of Appeals for the District of Columbia Circuit, which has yet to rule in the case, *Air Alliance Houston v. EPA*.

After the proposal is published, it will be subject to a 60-day public comment period with a public hearing scheduled for June 18.

The Hill

<http://thehill.com/policy/energy-environment/388294-environmental-group-launches-ad-campaign-targeting-pruitts-lobbyist>

Environmental group launches ad campaign targeting Pruitt's lobbyist ties

By Miranda Green, 5/18/18, 10:34 AM

Environmental group the Sierra Club launched a digital advertisement campaign Friday aimed at Environmental Protection Agency (EPA) head Scott Pruitt.

The ad, shared on Instagram, Facebook and Twitter to Washington, D.C. and Oklahoma based audiences highlights a number of controversies tied to Pruitt's relationship with lobbyists, including reports that he rented a \$50 dollar a night condo from the wife of an energy lobbyist and worked in tandem with a number of special interest groups when booking international work trips.

Titled: "Do-it-Pruitt," the satirical digital campaign advertises services to everyday users similar to those utilized by Pruitt since his time heading the EPA.

"Looking to plan a luxury vacation to far off places like Australia, Morocco or Italy? Try Do-it-Pruitt your one stop shop for outrageous pay-to-play deals at the Environmental Protection Agency," the ad says. "We have a lobbyist ready to make your plane, dinner and hotel reservations for you; all you have to do is meet with their corporate polluter clients."

The advertisement additionally offers "lobbyist landlords at the ready, with sweetheart deals" like the one the ad's "CEO" Pruitt received.

"The best part is, everything is subsidized by the taxpayer," the ad says.

Sierra Club has been a vocal group in opposing a number of policy changes made at the EPA under Pruitt that rollback environmental protections.

"The ad highlights Pruitt's scandalous relationship with lobbyists at the expense of our health and our tax dollars. We deserve an EPA administrator who cares more about the health and safety of our families than the opulent perks of his lobbyist friends," Maura Cowley, Sierra Club Resist campaign director, said in a statement.

Pruitt faced a tough day on Capitol Hill earlier this week, testifying in front of the House Appropriations subcommittee Tuesday about the agency's shrunken fiscal 2019 budget proposal as well as a number of the controversies tied to the administrator, including those highlighted in the advertisement.

Daily Caller

<http://dailycaller.com/2018/05/18/tesla-sues-trump-obama-gas-regulations/>

Tesla Sues Trump To Reinstate Obama-Era Gas Mileage Regulations

By Chris White, 5/18/18, 11:12 AM

Tesla is joining California and other states in a lawsuit against the Trump administration to reinstate former President Barack Obama's steep fuel-efficiency standards.

Maintaining Obama's fuel-efficiency standards would increase demand for Tesla's electric cars and spur demand for electricity — economists usually describe these types of activities as rent-seeking.

Tesla's move comes after California announced May 1 a lawsuit against President Donald Trump when EPA Administrator Scott Pruitt promised in April to review a set of Obama-era efficiency rules the auto industry considers too burdensome.

Trump's plans consisted of nixing a trove of his Democratic predecessor's legacy, including Obama's move to increase fuel-efficiency rules.

Pruitt's plan would also target California's ability to set its own efficiency standards. The state's rules have forced automakers to build more fuel-efficient vehicles, which ultimately affects national efficiency standards.

Tesla's credit has gotten racked as the company continues missing crucial deadlines.

Moody's dropped Tesla's credit rating in March and changed the company's outlook to negative as the fledgling Model 3's production dwindles while the automaker's financial situation grows dim.

Tesla will need to raise more money in the near future to meet its cash needs, the credit rating agency claimed. Moody's labeled the electric car maker a substantial risk for investors willing to dive headfirst into the auto market.